

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

FRANKLIN MARONE,

Plaintiff,

-against-

1:08-CV-658
(LEK/RFT)

GREENE COUNTY PROBATION DEP'T;
BARBARA A. VALICENTI, Director of
Probation Individually and in her Official
Capacity; ALAN FRISBEE, Senior Probation
Officer, Individually and in his Official
Capacity; KEVIN P. CONWAY, ESQ.,
Individually and in his Official Capacity,

Defendants.

DECISION AND ORDER

This matter comes before the Court following a Report-Recommendation filed on September 26, 2008, by the Honorable Randolph F. Treece, United States Magistrate Judge, pursuant to 28 U.S.C. § 636(b) and L.R. 72.3(c) of the Northern District of New York. Report-Rec. (Dkt. No. 13).

Within ten days, excluding weekends and holidays, after a party has been served with a copy of a Magistrate Judge's Report-Recommendation, the party "may serve and file specific, written objections to the proposed findings and recommendations," FED. R. CIV. P. 72(b), in compliance with L.R. 72.1. No objections have been raised in the allotted time with respect to Judge Treece's Report-Recommendation. Furthermore, after examining the record, the Court has determined that the Report-Recommendation is not subject to attack for plain error or manifest injustice.

Accordingly, it is hereby

ORDERED, that the Report-Recommendation (Dkt. No. 13) is **APPROVED** and

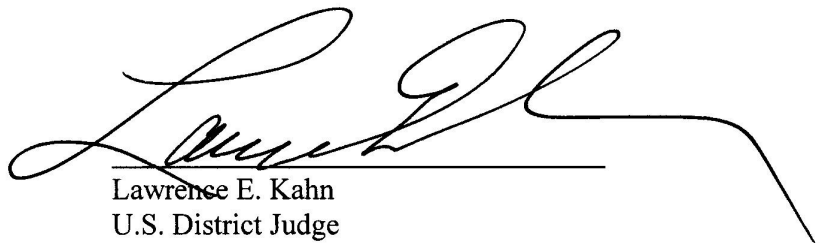
ADOPTED in its **ENTIRETY**; and it is further

ORDERED, that Plaintiff's Amended Complaint (Dkt. No. 12) is **DISMISSED in its entirety**; and it is further

ORDERED, that the Clerk serve a copy of this Order on all parties.

IT IS SO ORDERED.

DATED: October 22, 2008
 Albany, New York



Lawrence E. Kahn
U.S. District Judge